

(3) the right to confer with a representative of the prosecutor's office;

(4) the right to restitution; and

(5) the right to information about the conviction, sentence, imprisonment, and release of the accused.

(c) The legislature may enact laws to define the term "victim" and to enforce these and other rights of crime victims.

(d) The state, through its prosecuting attorney, has the right to enforce the rights of crime victims.

(e) The legislature may enact laws to provide that a judge, attorney for the state, peace officer, or law enforcement agency is not liable for a failure or inability to provide a right enumerated in this section. The failure or inability of any person to provide a right or service enumerated in this section may not be used by a defendant in a criminal case as a ground for appeal or post-conviction writ of habeas corpus. A victim or guardian or legal representative of a victim has standing to enforce the rights enumerated in this section but does not have standing to participate as a party in a criminal proceeding or to contest the disposition of any charge.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held on November 7, 1989. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment providing a bill of rights for crime victims."

Passed by the House on May 23, 1989, by the following vote: Yeas 144, Nays 0. Passed by the Senate on May 28, 1989, by the following vote: Yeas 30, Nays 0.

Filed with the Secretary of State, June 1, 1989.

H.J.R. No. 32

A JOINT RESOLUTION

proposing a constitutional amendment authorizing the legislature to permit and regulate raffles conducted by certain nonprofit organizations for charitable purposes.

Be it resolved by the Legislature of the State of Texas:

SECTION 1. Article III, Section 47, of the Texas Constitution is amended by amending Subsection (a) and adding Subsection (d) to read as follows:

(a) The Legislature shall pass laws prohibiting lotteries and gift enterprises in this State other than those authorized by Subsections (b) and (d) of this section.

(d) The Legislature by general law may permit charitable raffles conducted by a qualified religious society, qualified volunteer fire department, qualified volunteer emergency medical service, or qualified nonprofit organizations under the terms and conditions imposed by general law.

The law must also require that:

(1) all proceeds from the sale of tickets for the raffle must be spent for the charitable purposes of the organizations; and

(2) the charitable raffle is conducted, promoted, and administered exclusively by members of the qualified religious society, qualified volunteer fire department, qualified volunteer emergency medical service, or qualified nonprofit organization.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 1989. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment authorizing the legislature to permit and regulate raffles conducted by certain nonprofit organizations for charitable purposes."

Passed by the House on May 11, 1989, by the following vote: Yeas 105, Nays 33, 1 present, not voting. Passed by the Senate on May 27, 1989, by the following vote: Yeas 24, Nays 4.

Filed with the Secretary of State, June 1, 1989.